



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

February 1, 2022

**BY ECF**

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Michael Avenatti*, 19 Cr. 374 (JMF)**

Dear Judge Furman:

The Government respectfully submits this letter regarding the Court's instruction on the components of a reasonable fee on page 27 of the redline version circulated at the charge conference.

The Government proposes that, should the Court determine to retain the content at lines 8 through 15, the Court include the following at the end of the paragraph:

Of course, your task is not to decide what, if any, fee might have been reasonable. I merely provide this instruction to help you understand how a lawyer's fee might be determined if the lawyer were to bring a claim in court or arbitration regarding a fee dispute.

This proposed instruction makes clear that the Court's instructions on quantum meruit provide context but do not present a factual question bearing on the charges in this case that the jury must decide.

Honorable Jesse M. Furman  
United States District Judge  
February 1, 2022  
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Respectfully submitted,

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cc: Michael Avenatti (by ECF via standby counsel)